

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CALVIN BERNARD BROOKS,

PLAINTIFF,

VS.

TYRONE BARROW, ET. AL.

DEFENDANTS,

)

)

) CASE NO. 2:06-CV-499-MHT

)(WO)

) CIVIL ACTION (DANGER TO THE PLAINTIFF'S

) LIFE AND SAFETY)

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U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

PLAINTIFF'S OBJECTIONS TO THE MAGISTRATE JUDGE'S RECOMMENDATION

Comes now the Plaintiff in the above styled cause, and hereby files these objections to the recommendations of the magistrate judge. The Petitioner files this action pursuant to 28 U.S.C. 1915(g), U.S.C.A. 5, 8, 10, and 14. The plaintiff states as follows:

The plaintiff filed a civil action pursuant to 42 U.S.C.A. 1883 against several prison officials as well as several Medical personnel employed with prison health services. In the complaint, the plaintiff states that he and all other inmates at the Easterling Correctional Facility are under a threat of death and several inmates have died as a result of the practice of the defendants' use of torture, inadequate health care, forced drug programs that are intended to force inmates to think like violent men.

The plaintiff also stated that on several occasions the defendants, Lt. Willie Bryant, Brian Gavin, Sgt. Logan, Sgt. Woods, Lt. Wilson and Gwendolyn Mosley, took his blood pressure medication and locked him in a hot dorm, which is not authorized by D.O.C. rules. And said acts are designed to force the plaintiff into criminal actions for the defendants' personal gain. The plaintiff is an inmate at this facility and are subjected to these acts by the defendants and there is nothing fantastic or delusional about the truth.

In the magistrate judge's foolish recommendation, she claims that ^{EVEN} though the plaintiff has had his blood pressure medication taken at the time of this case was filed, and is subjected to have it done again. This does not meet the imminent danger exception under 28 U.S.C. 1915(g).

OBJECTION TO THE RECOMMENDATION OF THE MAGISTRATE JUDGE

SCANNED

The plaintiff states that the magistrate judge in this case is the same Magistrate who told the plaintiff to file this action and claimed that the plaintiff even has a right to file the same. See Brooks v Mosley, cv-06-432-MEF. In said case, the plaintiff filed a writ of habeas corpus claiming that the defendant increased

the plaintiff's sentences and pretty much gave the plaintiff life without parole. The plaintiff stated that the defendants was doing this because he refused to take a brain washing program called Crime Bill S.A.P.P. The plaintiff was seeking to have the state discontinue placing this false claims in his prison files and be ordered to stop forcing inmates to take this program because inmates who took the same usually end up with murder cases when they was released from prison.

The plaintiff filed an objection and plainly stated that the magistrate judge wanted him to file a civil action case so that she can take bribes from the state to dismiss the case as she always do in the plaintiff's cases.

In this case, the plaintiff objects to the magistrate judge recommendation, based on the fact that its a known fact that high blood pressure is the number one killer of african-americans in the world. On Nov. 23, 1998, the plaintiff father Mr. Willie Lee Brooks died of high blood pressure related causes. In dec. 1985, Ms. Pinky Brooks, die of a heart attack caused by high blood pressure. In Nov. 18, 1997. The plaintiff spent over 4 days in the H.C.U. at Limestone correctional facility, because his blood pressure went up to 160 over 110.

Any Black person who has a history of family ~~de~~ deaths from this killer illness, knows that if someone take your medication from you. That person is either stupid or trying to kill you. In this case, the defendants took the plaintiff's blood pressure medication for several days. As result, the plaintiff suffered a near stroke. If that's not imminent danger nothing is.

The plaintiff objects to the magistrate judge little foot note, that states that the plaintiff's claims are fantastic and delusional. The plaintiff states that he has been at the Easterling Correctional facility for over two years. Since the plaintiff has been here. There has been over 20 unexplained deaths of inmates and right now the plaintiff has sis, that the defendants Dr. Debarouze, refuse to treat. The plaintiff states that he has filed several medical complaints and even seen the doctor and said doctor refused to treat the sist. The plaintiff has had to conduct his own surgery several times to ^{ST000} ~~he~~ the swelling from covering his face. The magistrate judge never bothered to consider that claim or even mention it in her bogus recommendation.

This Magistrate judge's incompetence is the very reason she is being forced to resign from this court. The plaintiff and all inmates herein are going to be blessed at her no longer being a second line of defense for the murdering D.O.C. officials.

The plaintiff objects to the magistrate judge claims that these claims as to the selling of inmates body parts are fantastic. I would like to state for the record. I was at the limestone correctional facility in Capshaw, Alabama. I was assigned to OO SQUAD, this squad is the inmates who bury all dead inmates that comes from the Donalson correctional facility, St. Clair correctional facility and limestone's A.I.D.S ward.

Inmates at Donaldson who were killed in knife fights, die of strokes, heart attacks, or other illnesses in which the body parts was still good enough to be used. I have personally removed organs or seen them removed while at the H.C.U. there. (what you think they are doing with them?). They place them in a freezer bag, place them in a cooler type box and ship them to a lab somewhere in Japan, China, New York. So ask the Magistrate judge how do I know this if I did not see it myself.

The plaintiff object to the magistrate judge statement that the plaintiff allegations about the court dismissing his valid cases in order to stop him from filing valid complaints against the D.O.C. and other state officials. The plaintiff first state that maybe the court should consider the reason why section 28 U.S.C. 1915 was enacted in the first place.

First

~~First~~, the law was amended to stop inmate condition of confinement complaints that was costing millions of dollars in damage awards to inmates who was victimized by the D.O.C.

Second. The law was amended to give back the prison system to the state officials because of their actions in Pugh v Lock. __F.2d.__ (11th.cir.____). The facts of this case shows that Prison Health Services is doing what they always do when they are contracted with a state agency concerning treatment of inmates. see, Ancata v Prison Health Services, 769 F.2d. 700 (11th.cir. 1985). The magistrate judge states that even though the plaintiff can end up dead at the hands of people who has taken his medication before as punishment. This do not meet the imminent danger under Medberry v Butler, 185 F.3d. 1189 (11th.cir. 1999).

The plaintiff object to the magistrate judge comparing this case to Medberry. In Medberry v Butler, the inmates stated that he "May Be "in danger of serious injury. In this case, unlike Medberry. The plaintiff has a serious life threatening illness. (2). The plaintiff is on medication for this illness. (3). The defendants took the medication as punishment for filing complaints, for himself and others. (4). The defendants has a policy that forces inmates to take part or attend this program and if they dont. The officers place inmates in a position to fight for their lives.

(5).The defendants beat the plaintiff up and took his medication and placed him in a hot dorm without medical treatment.Under the imminent danger exception.The plaintiff's case is nothing like Medberry.Medberry was never attacked by D.O.C.Officials,Medberry was not on medication that if not taken could cost him his life.Medberry was not forced to take a brain washing program that cause inmates to be violent and end up worst off than they were.And Medberry is not incustody of a stupid woman who thinks she if Dr.Frankinstine or Adolf Hitler.

The plaintiff admits that he do not have the money to fight for his life in your courts.He admits that he had had three cases in which claims in the case and not the whole case was dismissed as frivolous.In this case.The plaintiff is under imminent danger at the time of the filing of this case and is still under such danger.

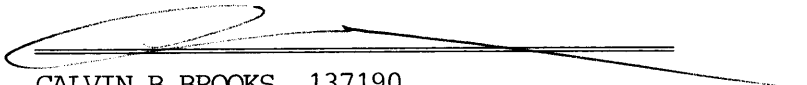
WHEREFORE, the plaintiff files these objections and ask the court to consider the merits of this case and re-assign this case to another magistrate who have an interest in justice and not stupidity.

Respectfully submitted;


CALVIN B.BROOKS, pro-se.

CERTIFICATE OF SERVICE

I, certify that I have served a copy of the forgoing to the defendants via U.S.Mail to Hon:Kim Thomas, P.O.BOX 301501 montgomery, alabama 36130.This the 7th. day of June 2006.


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cc/cbb